

Mon Mar 24 09:05:42 EDT 2014
Leavy.Jacqueline@epamail.epa.gov
FW:
To: CMS.OEX@epamail.epa.gov

From: CPC Ods02174Cpc [mailto:ods02174cpc@officedepot.com]
Sent: Monday, March 17, 2014 5:42 PM
To: Mccarthy, Gina; McTeerToney, Heather; "horsey.maurice."@epa.gov; Diaz, Denisse; Ceron, Heather; cindy.j.house-Pearson@usace.army.mil; trudy.fisher@deq.state.ms.us
Subject:

FROM: Austin (Dan) Check, (Plus "WE"), Lauderdale Co./Meridian, MS.,
Contact No. 601-604-3388/Cell. POTW/S Meridian South MS0020117,
East MS0055735.

TO: GINA MCCARTHY, mccarthy.gina@epa.gov (USEPA, Washington D.C.)
HEATHER McTEER TONEY, mcteertoney.heather@epa.gov (EPA Region 4, Admin)
MAURICE HORSEY horsey.maurice@epa.gov (USEPA, Section Chief M./I. E.)
DENISSE DIAZ diaz.denisse@epa.gov (USEPA, Branch Chief W.E.)
HEATHER CERON ceron.heather@epa.gov (USEPA, Environmental Justice,
("NATIONAL ENFORCEMENT INITIATIVES") Region 4, GA.)
CINDY J. PEARSON, cindy.j.house-Pearson (US.ARMY/Corp. Eng., N. District)
@usace.army.mil
MARK DEAN sim.m.dean@usace.army.mil (USACE, Okatibbee Reservoir, L.C.)
TRUDY FISHER, trudy_fisher@deq.state.ms.us (MSDEQ Ex. Dir.)

IN RE: DISCHARGING RAW SEWAGE, CONTINUING INTO 303-D Impaired SOWASHEE CREEK,
(25 years+), Meridian/Lauderdale Co., MS..

REQUEST FOR ENVIRONMENTAL JUSTICE

NPDES Permit No. MS0020117, Meridian South.

" " No. MS0055735, " East.

INVESTIGATION

(Meridian Naval Air Station/Base)

MS POWER/Kemper Co. MS.. LIGNITE PLANT, December 2, 2011 Permit Application/
(\$6-Billion & cost/S Draft, (NOT PERMITTED TO DATE)).
growing)

DRAFT/APPLICATION, NPDES, No. MS0061751

Note: DISCHARGING (?) SEWAGE, (You be the judge-?), "NO NPDES PERMIT"
INTO TOM PETE CREEK & CHICKASAWHAY RIVER, Kemper Co., MS.,
BUT AFTER 2+ YEARS, WAS GIVEN A "SECRET AGREED ORDER, NO. 6330-13,
Sept. 26, 2013, by Trudy Fisher, MDEQ Ex. Dir., with MDEQ draft
in place, (2+ years)?

BACKGROUND CONFLICT/S-?:

In 1999 James "jimmy" Palmer resigned as MDEQ' Ex. Dir. and went into private practice representing his "CLIENT/S" against MDEQ and USEPA. In 2001, after being nominated by then S. Trent Lott, & confirmed by Pres. George Bush, Palmer began as Administrator of USEPA Region 4, Atlanta, GA., which he remained until Jan. 2009. Mean/While, a Mr. Charles Chisolm, from Meridian, MS., was made the replacement MDEQ Ex. Dir., (1999-2007. Chisolm's replacement IS Ms. Trudy Fisher, (2007-til present), as MDEQ's Ex. Dir..

Ms. Fisher IS from the Brunin & Brunini Law Firm, (then Gov. Haley Barbour, MS., who's personal attorney is Ed Brunini, appointed Ms. Fisher.)

Note: Attorney Johnnie Brunini represents MS Power/Kemper Co. Lignite Plant in Matter/S-Issue/S with MDEQ/USEPA. Keep in mind what's happened to James "jimmy" Palmer. Further, Ms. Fisher was RE-appointed MDEQ's Ex. Dir. by new/now Gov. Phil Bryant.

NOT IN TOTAL.

DISCHARGING OF RAW SEWAGE INTO 303-D Impaired (1996) SOWASHEE CREEK.

In July 2013, MDEQ (through legal notice) advised the public of City of Meridian's requested NPDES Permit Modification No. MS0020117, Meridian's SOUTH POTW,.... (ONLY!)

Check (me) and other/S responded with written comment/S-question/S and REQUESTED A PUBLIC HEARING, as under 40 Title CFR/Section 123 per the "MEMORADUM OF AGREEMENT" states, signed between MDEQ and USEPA Region 4.

(NO-?)

MDEQ has denied our public hearing request, has not supplied written responses to comment/S-question/S, nor willing to allow the transcript/S of their MDEQ Permit Board PRE-hearing/meeting/S.

(CHILL OUT, Harry Wilson, MDEQ Chief of Permitting, WE WILL DEBATE THESE ISSUES AT A FUTURE DATE,.....WE PROMISE!)

(See Exhibit "A", STATUS, NPDES APP./DRAFT Permit No. MS0020117, is an Evidentiary attached) Hearing set for Tuesday, March 18, 2014, 9:00am, MDEQ BDLG., 515 E. Amite St., Jackson, MS.. (We requested said evidentiary Hearing.)

MDEQ'S REFUSAL OF A "PUBLIC HEARING" ON THESE MATTERS RAISES A
ON GOING, QUESTION??? (Which we would like you to answer.)

(NPDES)

(AS WE SPEAK!).... QUESTION: How does the MS. D.E.Q. grant a MODIFICATION TO THE CITY MERIDIAN'S POTW/S PERMIT/S WHEN THE EXISTING PERMIT/S-(CITY) ARE IN KNOWN VIOLATION/S OF DISCHARGING RAW SEWAGE INTO THE USEPA DECLARED (since 1996) 303-D Impaired SOWASHEE CREEK?..... (SEE BELOW+25+ YEARS!)

See

EXHIBIT.... 1. June 28, 2007, (2p.), 16+ page Email to MDEQ Ex. Dir., Trudy Fisher and then EPA Region 4 Administrator, Atlanta. GA., from former Mayor/City of Meridian and Registered Environmental Engineer, Jimmy Kemp. (Kemp/Palmer, "DUO!", go WAYyyyyyyyy BACK!)

(City of Meridian's Email TITLE: (40 Year History/SOWASHEE CREEK), "ENVIORNMENTAL BIBLE" email to--2 "HEAD KNOCKER/S").... "Marion/Meridian impasse Concerning WASTEWATER TREATMENT and SOWASHEE CREEK TMDL Status".

2. June 10, 2009, (2p.) Letter, from USEPA/Acting Region 4 Admin., Stan Meiburg, to Check (me), acknowledging Check's 60+ page complaint of April 16, 2009. (Tracking No. R4-09-000-58-05-RA)

Note: 1st page, para 3, MDEQ CONDUCTING INVESTIGATION

2nd page, para 1, letter acknowledges EPA/ Palmer receiving Exhibit #1. above, and "EPA STAFF WILL REVIEW".....

3. Feb. 25, 2010, (1p.) Cover/Video, of MDEQ's "PUBLIC HEARING" on City Of Meridian's request for RE-permitting of it's POTW/S & COLLECTION SYSTEM/S. (AVAILABLE UPON REQUEST.)

4. Mar. 28, 2010, (1p.) Art., Meridian Star News, "SOWASHEE STINK!", City faces DEQ fine".

Note: Wait til you hear where the fine proceed/S went to!

5. July 1, 2010, (1p.) SOWASHEE CREEK FISH KILL. 6+ ^(K)Gallons of raw milk dumped into 303-D Sowashee Creek.

Note: Wait til you hear where the fine proceed/S went to!

6. March 7, 2012, (1p.) Art., Meridian Star, "LEAKED", Gasoline seeps into pipeline project".
Note: Contractor/S were pumping gasoline from hole, (contiguous to 303-D Sowashee Creek's north bank), straight into Sowashee Creek through pump/hose operation.
(NATIONAL RESPONSE CENTER COMPLAINT FILED.)

7. NATIONAL RESPONSE CENTER COMPLAINT/S FILED: (800-424-8802)

No/S., 1005250, 1005381, 1006463, 1006616, .. and

(Read Captions) Photo/S, (1074727, /FEBRUARY 21, 2014.)

- (Date: Feb. 21, .. 2014) 8. See Exhibit/s #8-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12.

Note: (LITE SEWAGE Exhibits 1-4, Location: Navy Base Collection Line to Meridian East POTW. (HAY BAILS) DISCHARGE DAY).....
"..... 5-8 Location: Sowashee Street discharge, with freshly hand dug City of Meridian ditch.

"..... 9-12, City's "Main Line" sewage/collection, contiguous to Southside of Sowashee Creek, Old Hwy 80 E. of Meridian.

9. UP-COMING-EVIDENTIARY AFFIDAVIT TESTIMONY:
(Evidentiary Hearing, March 18, 2014)

- (Date: Feb. 19, 2014, (2p) Exhibit 9-1. Testimony, Hugh Smith, City of Meridian's Public Works Director.

Note: See 2nd page No. 6, 1st sent.,
"Meridian holds a permit to operate a POTW in compliance with state and federal regulations."

- (Date: Feb. 18, 2014, (7p) Exhibit 9-2. Testimony, Harry Wilson, MDEQ's Chief of Envir. Permts Div..

Note: Wilson's testimony has NO acknowledgement of City of Meridian's raw sewage, "EXISTING", discharging violation/SSSSS which HE IS COMPLETELY AWARE OF, AND HAS BEEN FOR YEARS!

SEE "PUBLIC HEARING" VIDEO/NATIONAL RESPONSE CENTER COMPLAINT/S, et al..

Note: With Harry Wilson knowing "HE & OTHER/S" are going to withhold "THEIR" meeting/hearing transcript/S, states, A lot of towns have problems. (Because of "NO RULES, NO OVER-SITE, NO ENFORCEMENT", certain/conflicted MDEQ personnel have let these "PROBLEMS GROW AND FESTER!")

FURTHER, Harry Wilson/Trudy Fisher, and "OTHER/S" want USEPA to believe the MS POWER/Lignite Plant's purchase of Meridian's "GREY WATER" is the "ANSWER". READ ON!!

10. 20 Photo/s of City of Meridian's "ON GOING" discharging violations into the 303-D Sowashee Creek. (See dates/location captioned on each 8-10" photo, from years 2009 to date) These photo's ARE NOT the only discharging raw sewage location/S, you can "SNIFF" other numerous discharges out.

11. With the above mentioned documented discharge violation/S (NOT IN TOTAL), the 303-D Impaired Sowashee Creek banks are near/contiguous to low income/sub. rent families with children. These families are catching and eating fish/et al. out of the 303-D Sowashee Creek. (See above photos of condoms, tampons, used needles, toilet paper, feces, et al., forgot smell!)

WE HAVE REQUESTED AN ENVIORMENTAL JUSTICE INVESTIGATION numerous times.

(A HINT MS. McCarthy, MS TONEY, MS. CERON,..... MAYBE-?)

MDEQ's & Others "SAVIOR"^{"is"}MS POWER/KEMPER CO. LIGNITE PLANT!..... (WRONG!)

11. Feb. 22, 2012, (2p.). MS Power's Cover letter to MDEQ forwarding their 2nd modification/application of NPDES Permit App. originally entered Dec. 2, 2011. (Permit Draft No. MS006175, "A SECRET!"

This NPDES Permit App. has been modified "AT LEAST" 3 times to are knowledge,.....

BUT NEVER--PROCESSED/PERMITTED-40 CODE CFR/S.-123.

12. Oct. 25, 2012, (1p.). Art., Meridian Star, "City water flowing at Kemper plant". With NO NPDES PERMIT, MS Power accepts City of Meridian's (QUESTIONABLE-?????) treated grey water into the lignite plant's $\frac{1}{2}$ -Billion gallon reservoir until it FILLS UP, (?)

(\$6-Billion+)

NOTE: The LIGNITE PLANT IS

"NOT OPEN", missed it's

deadline\$ and will open-????

Note: Before we go any further, WHO now OWNS this effluent?

13. Sept. 26, 2013 (5p.) "AGREED ORDER No. 6330-13", (Trudy Fisher style.)

The MS Power is caught illegally discharging into the Tom Pete Creek/Chickasawhay River on Sept. 5, 2013. Within 5 days, "IT'S A MIRACLE!", Trudy Fisher/Harry Wilson & "other/S", have whipped up "THEIR!" Agreed ORDER".

See Exhibit 13, Page 2, No. 2,....."A.SECRET",

" IN LIEU OF A FORMAL ENFORCEMENT HEARING" (kind of like NO PUBLIC HEARING on City of Meridian's NPDES Permit Draft/MOD. No. MS0020117, BUT IN REVERSE INTEREST/S!), MS Power/Brunini & "OTHER/S" and MDEQ agree as follows.

"UNTIL SUCH TIME (?) as the Permit Board acts (Dec. 2, 2011) submitted app.) on Respondent's permit application (the "INTERIM LIMITS PERIOD-?"), Respondent shall be allowed to discharge from the reservoir into waters of the state (PISST!, and USA.) subject".....

FURTHER, "Respondent shall cease all discharge from the reservoir when the elevation of "WATER-?" reaches 443.5 ft."

QUESTION, If effluent/storm water/et al.-? is flowing in, why did MDEQ/MS Power/Brunini let it FILL UP in the first place with NO PERMIT AND THE PLANT'S NOT OPENING TIL, TIL, TIL, ----????? (Don't listen with your ears!)

14. Feb. 20, 2013, (1p.) Art. Starkviledailynews, "EPA to penalize city for sewage overflows"

Note: Quote, "MDEQ official/S were"shocked" by the agency's (EPA) in-entions to impose the fines".

15. Jan. 16,,2014, (1p.) Art. Jackson, MS., Clarion ledger, "Enviornmentalists file motion against city".

Note: MDEQ's Harry Wilson's "BUDDY", Andrew Whitehurst, with Gulf Restoration Network, filed a law suit against the City of Hattiesburg, MS. on January 7, 2014/March 2012.

Further, (See BACKGROUND CONFLICT/S on page 1. above.)

Guess who is representing the City of Hattiesburg against GRN?.....Bruni & Brunini Law Firm!

(See Exhibit 9-2, Sworn Testimony of Harry Wilson, Page 5, No 7, and attacment 5-A.

16. Mar. 12, 2014, (1p.) Art. Meridian Star, "Grants could fund more walkways".

"A POSTIVE NOTE ON MDEQ!"

MDEQ has saved the City of Meridian millions of dollars by MDEQ's "NO RULES, NO OVER-SITE, NO ENFORCEMENT and allowing Meridian's SOWASHEE CREEK, a 303-D Impaired strem since 1996, the City of Merian can spend \$635, 000.00 to pave an 8 foot walking path on the banks of Sowashee Creek over contaiminated MS power's sewage pipeline right of way.

(WANT TO BET?)

17. NOT IN TOTAL. Thank you.



Austin (Dan) Check
P.O. BOX 3271, Meridian , MS. 39303
601-604-3388

Attachments: (60 pages)

Atten: **ROY FURRH, Gen. Counsel**

SUBJECT: Request for Evidentiary Hearing, Meridian, MS./et al.. (MDEQ)

December 12, 2013

Email www.deq.state.ms.us

Trudy D. Fisher
Executive Director
Mississippi Department Of
Environmental Quality
515 E. Amite St.,
Jackson, MS. 39201

Fax 601-961-5349,
Attention Roy Furrh,
General Counsel

Subject: Request For Evidentiary Hearing in the matters concerning modification of Permit No. MS002117, (Meridian South POTW), Permit No. MS0055735, (Meridian East POTW), Sowashee Creek, 303-D U.S.E.P.A. Impaired waterway since 1996±. Dalewood Sewer District, Lauderdale County, MS., Permit No. MS0057126, (Dalewood Lake Dam, High Hazard, No. MS02586. Town of Marion, MS., (\$3.7-M U.S.D.A. Rural Grant for 14± mile pipeline to Dalewood Sewer District. NOTE: NOT UNDER CONSTRUCTION), MS Power Lignite Plant pipeline ("Gray Water-?") Kemper County, MS. from City of Meridian, MS..

Note: April 16, 2009 U.S.E.P.A. Complaint, (60+p.), Meridian POTWs/Collection System No. RA-09-000-58-05-RA.

June 28, 2007, email (Subject: RE Marion/Meridian Impasse Concerning Wastewater Treatment and Sowashee Creek TMDL Status) from Jimmy Kemp to Ms Trudy Fisher, Executive Director, MDEQ with copy sent to James Jimmy Palmer, then EPA Region IV Administrator. Email was acknowledged of receipt by EPA A. Stanley Meiburg, Acting Region IV Administrator, by letter to Check, Dated June 2010. (cc: Trudy Fisher, Executive Director, MSDEQ).

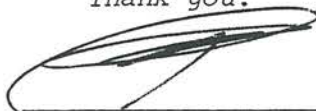
NOTE: Said Evidentiary Hearing Request is made under the assumption that said hearing/issues will meet requirements of the Memorandum of Agreement signed between MDEQ and USEPA in 2007 following Title 40 (CFR) Federal Regulations, as stated in said agreement.

NOT IN TOTAL.

Ms. Fisher,

Having been denied a request for a "Public Hearing", Having NOT received written response to my comments/questions concerning said issues of the permit modification/draft/et al., Having been advised by Attorney Furrh that NO transcript is available of the hearing that was held by the DEQ Board Members prior to their "Permit Board Meeting", I am requesting a EVIDENTIARY HEARING on these matters.

Thank you.



Austin D. (Dan) Check, P.O. Box 3271, Meridian, MS. 39303 601-604-3388

HP LaserJet Professional M1217nfw MFP

Fax Confirmation

Job	Date	Time	Type	Identification	Duration	Pages	Result
151	12/12/2013	04:14:10PM	Send	916019615349	0:30	1	OK

Attn: **ROY FURRH**, Gen. Counsel

SUBJECT: Request for Evidentiary Hearing, Meridian, MS./et al.. (MDEQ)

December 12, 2013

Email www.deq.state.ms.us

Trudy D. Fisher
Executive Director
Mississippi Department Of
Environmental Quality
515 E. Amite St.,
Jackson, MS. 39201

Fax 601-961-5349,
Attention ROY FURRH,
General Counsel

Subject: Request For Evidentiary Hearing in the matters concerning modification of Permit No. MS002117, (Meridian South POTW), Permit No. MS0055735, (Meridian East POTW), Sowashee Creek, 303-D U.S.E.P.A. Impaired waterway since 1996. Dalewood Sewer District, Lauderdale County, MS., Permit No. MS0057126, (Dalewood Lake Dam, High Hazard, No. MS02586. Town of Marion, MS., (\$3.7-M U.S.D.A. Rural Grant for 14 1/2 mile pipeline to Dalewood Sewer District. NOTE: NOT UNDER CONSTRUCTION), MS Power Lignite Plant pipeline ("Gray Water-2") Kemper County, MS. from City of Meridian, MS..

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Thank you.


Austin D. (Dann) Check, P.O. Box 3271, Meridian, MS. 39303 601-604-3388

From: "Jimmy Kemp" <jimmykemp@noxapatertel.net>
To: "Trudy Fisher, Executive Director, MSDEQ" <trudy_fisher@deq.state.ms.us>
CC: "James I. "Jimmy" Palmer, EPA Region IV Administrator" <Palmer.jimmy@epa.gov>, "Mayor Elvis Hudson" <MARION1BULLY@COMCAST.NET>
Subject: RE: Marion/Meridian Impasse Concerning Wastewater Treatment and Sowashee Creek TMDL Status
Date: Thursday, June 28, 2007 2:09:36 PM



Executive Director Fisher,

I have not ignored the question you posed to me a while back concerning the above referenced subject. But, particularly at this stage, resolving the issue will be complicated, in my opinion, requiring a collaborative effort by many involved parties, ie MDEQ, EPA, the USDA's Natural Resources Conservation Service (NRCS), US Corps of Engineers (USCOE) the East Central Planning and Development District (ECPDD), the East Mississippi Business Development Corporation (EMBDC), the East Mississippi Foothills Land Trust (EMFLT), private property owners etc, as well as the area elected officials of the City of Meridian (Meridian), the Town of Marion (Marion), and the Lauderdale County Board of Supervisors (Lauderdale County).

Both the Meridian/Marion wastewater treatment rate impasse issue and the TMDL status of Sowashee Creek are complex problems and are entangled. It is also difficult to fairly and/or concisely answer your question without having to go over better than 40 years of history and sounding like a "know it all". Further, as you can see from the latest two attached newspaper articles, misconceptions have abounded and were even fostered over the years, making resolution of the matter even more complicated.

Please note that all of the small Town of Marion, population 1300+, and nearly all of the much larger City of Meridian, population 40,000+, are located within the watershed of Sowashee Creek, while a relatively small section of west Meridian is within the watershed of Okatibbee Creek. Further, all the area Meridian is attempting to annex is located in the Sowashee Creek watershed also, to the best of my understanding. Therefore, the "Watershed Approach" to environmental protection, as currently supported vigorously by EPA and other knowledgeable parties in the field, appears to be the manner in which this dilemma can be most suitably addressed for the benefit of this entire area. To do so, some past history must be reviewed.

While I visited with my grandparents and other Meridian relatives often prior to that time, I actually came to work in Meridian in 1965. Not to dwell on my past or present position anymore than deemed necessary, please know that I started practicing as a professional engineer and surveyor in Meridian in 1968, before there was an EPA or, for that matter, the 1972 Clean Water Act (CWA).

Along with practicing as a PE/PS, I also served as a county engineer for Lauderdale as well as three other East Central Mississippi Counties and took an active part in my community prior to serving as mayor of Meridian from 1985 to 1993. I currently serve as principle partner in the small firm of Engineers and Surveyors, LLC. I am a member of EPA's Local Government Advisory Committee (LGAC), and serve on the Board of Directors of the Southeast Watershed Forum (SEWF). Further, I have truly harbored a passion for environmental protection and the Meridian area all my life.

I sincerely appreciate the opportunity to address this environmental problem as well as the wastewater treatment rate issue pertaining to the Meridian/Marion area at this time. In search of a solution for this dilemma, please consider the following:

- In the decade of the 1950s, while the second largest city in Mississippi, it appears that the City of Meridian's growth had peaked at a population of slightly less than 50,000.
- In the early 1960s, the City of Meridian was continuing to decline in population for whatever the reasons. As conditions at that time would later relate to the current

EPA, and EMFLT/EMBDC can be of assistance in this endeavor to settle this wastewater treatment rate impasse and to provide the desired environmental protection so desperately needed in the watershed of the Sowashee Creek. In the meantime, the folks in the Marion/NEIP area will continue to be "out muscled" by the much larger and more powerful City of Meridian concerning an equitable wastewater treatment rate and the Sowashee Creek will remain a biologically impaired stream on the MDEQ and EPA 303 d List.

I again apologize for this lengthy explanation. However, I truly appreciate the opportunity to do so. If we can provide additional information to your agency, please feel free to contact me or my office. Thank you.

J.W. "Jimmy" Kemp, PE/PS
jwkemp@bellsouth.net

-----Original Message-----

From: Trudy_Fisher@deq.state.ms.us [mailto:Trudy_Fisher@deq.state.ms.us]
Sent: Saturday, June 09, 2007 1:14 PM
To: jimmykemp@noxapatertel.net
Subject: Re: Marion/Meridian Impasse Concerning Wastewater Treatment and Sowashee Creek TMDL Status

Jimmy, How can we find a resolution to this one? I talked with Mayor late Friday.

"Jimmy Kemp"

<jimmykemp@noxapatertel.net>

To

"James I. \"Jimmy\" Palmer, EPA
Region IV Administrator"
06/07/2007 01:57 PM
<Palmer.jimmy@epa.gov>, "Trudy
Fisher, Executive Director, MSDEQ"
<trudy_fisher@deq.state.ms.us>

cc

"Elwyn Watson"
<elwynwatson@noxapatertel.net>,
"John McClure"
<john_mcclure@bellsouth.net>

Subject

Marion/Meridian Impasse Concerning
Wastewater Treatment and Sowashee
Creek TMDL Status

I wanted to give you a "heads up" on the attached letter sent this date to Ms. Martin of Marion; as she requested. As you know, our firm has been retained by the Town of Marion for some time now.

A copy of my letter to Ms. Martin is also being sent to you by USPS.
Thanks.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUN 10 2009

EPA Tracking No. R4-09-000-58-054-RA

Mr. Austin D. Check
P.O. Box 3271
Meridian, Mississippi 39303

Dear Mr. Check:

Thank you for your April 16, 2009, letter concerning potential sources of contribution to the 303(d) listed water quality impairment of Sowashee Creek from the headwaters at the City of Meridian to Okatibbee Creek.

The Clean Water Act (the Act) gives the U.S. Environmental Protection Agency (EPA) the authority to regulate the discharge of pollutants to waters of the United States. The Act provides broadly defined authority to: establish the National Pollutant Discharge Elimination System (NPDES) Permits Program, define pollution control technologies, establish effluent limitations, obtain information through reporting and compliance inspections, and take enforcement actions when violations of the Act occur. Sections 308 and 402 of the Act provide for the transfer of the NPDES program to the state operated programs. The State of Mississippi Department of Environmental Quality (MDEQ) has been delegated the authority to operate the NPDES program, which includes enforcement of the Act.

The City of Meridian is the responsible party for maintaining its municipal sewer lines. In discussions with the State, EPA has learned that MDEQ is conducting an investigation of Meridian's municipal sewer system, and based on the results of the investigation, MDEQ will work with the City to resolve any identified issues related to the sewer problems. EPA will continue to monitor the situation to evaluate whether federal action is appropriate.

EPA has reviewed the information submitted relative to the Miller Cattle Company as another potential source of contribution to the water quality impairment of Sowashee Creek, and has had discussions with the State concerning this matter. As of February 11, 2008, an agreed order between MDEQ and Miller Cattle Company, Order No. 5359 08, has been in effect through which the Miller Cattle Company has agreed to keep all cattle under roof, thereby preventing stormwater from coming into contact with animal waste products. MDEQ is responsible for ensuring the facility is in compliance with this order. At this time, the State order appears to be an effective mechanism to prevent stormwater runoff from coming into contact with animal waste products, and EPA has not received any evidence indicating that the Miller Cattle Company is not in compliance with this order. MDEQ is also working with the Miller Cattle Company to

determine the best permitting mechanism to utilize which, when issued, will then replace the agreed order to continue in the prevention of any regulated runoff discharges.

Your letter also referenced a June 28, 2007, email (Subject: RE: Marion/Meridian Impasse Concerning Wastewater Treatment and Sowashee Creek TMDL Status) from Mr. Jimmy Kemp to Ms. Trudy Fisher, Executive Director, MDEQ with a courtesy copy sent to Mr. Jimmy Palmer, previous EPA Region 4 Administrator. Per your request, my staff was able to recover this document from our email system. Based on the information in this email, EPA staff will review the East Meridian publicly owned treatment works (POTW) permit (permit no. MS0055735) and the Meridian POTW permit (permit no. MS0020117) when they are available for reissuance in August 2009 and January 2010, respectively, to ensure the permit limits are in agreement with any modeling related to the biological impairment of Sowashee Creek.

We appreciate your desire to protect and preserve the environment and hope you find this information helpful. If we may be of further assistance, please contact Ms. Stacey Bouma at (404) 562-9392.

Sincerely,


A. Stanley Meiburg
Acting Regional Administrator

cc: Trudy Fisher, Executive Director
MDEQ

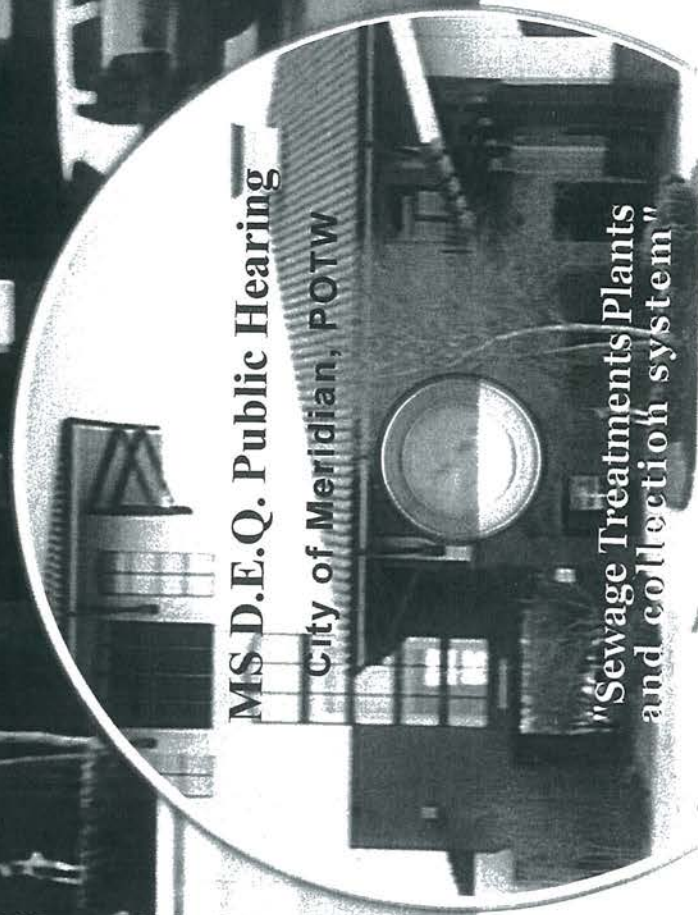
MS D.E.Q. Public Hearing - City of Meridian

MS D.E.Q. Public Hearing

City of Meridian, POTW

"Sewage Treatments Plants and
Collection Systems"

Feb. 25, 2010



Sunday, March 28, 2010

www.meridianstar.com

SOWASHEE STINK

City faces DEQ fine

By Byron Wilkes

bwilkes@themeridianstar.com

The City of Meridian will likely face a fine from the Mississippi Department of Environmental Quality, and though the city hasn't been officially notified, both entities have been talking closely about such a possibility.

The MDEQ's potential fine is the result of incidents with a sewer main near the saw mill along Interstate 20/59, which have caused sewer problems elsewhere along the highway.

Farther down the road from the saw mill, sewers sometimes overflow during rainy weather, leeching water from the sewer into the Sowashee Creek.

David Hamilton owns the Best Western of Meridian on South Frontage Road, next to a manhole that overflows when it rains, and has been dealing with the problem for a decade.

"We've been having the sewer back up at the hotel and down the road at the manhole cover probably about 10 years," he said. "It goes on down into the main line where when it does rain, it just get inundated where it just can't handle the flow."

"It's got to back up somewhere and it just so happens that one of the places it backs up is down here on me."

Among the problems in his hotel rooms caused by the backed up pipes are toilets that don't flush and showers that don't drain, as well as condoms and tampons flowing from the sewer into the street, Hamilton said.

"I went through the motions... not wanting to get the MDEQ involved," he said. "I didn't want it to come back on the city too hard."

So he did what any citizen might do: called on his public officials.

Hamilton said he has written several letters to the city, notifying the former and current public works director of the problem, and while the city did come clean the pipes and nearby ditches a few times, Hamilton said the problem persisted.

"They've cleaned the ditches out, done this, done that, but they haven't resolved the issue," he said. "I can't fix this."

"I can't go hire a plumber to come and fix this."

See SOWASHEE on page A8

TWO WORDS!,....COMMON SENSE. (Please explain?)

HELP!

Sowashee Creek, Meridian/Lauderdale, MS.

TMDL for Biological Impairment due to Organic Enrichment/
Low DO. (MDEQ Draft Report, Sept. 2011)

- A. City of Meridian opens potential One Million GPD Meridian Naval Air Station POTW (MS0055735) loading into 303-D Sowashee Creek. (Open..2004-Pascagoula Water Basin). What's strange, the City of Meridian is treating for residential usage with Navy Base NOT having any ON BASE pretreatment facility. Further, the Navy Base was stream loading to the Tombigbee Water Basin with upgraded fully functional POTW. But, City of Meridian making \$Millions\$ without maintaining/upgrading it's POTWs while continually loading into 303-D Sowashee?
- B. 6,000+ Gal. of raw milk (spoiled) from another County, then "Mainlined" into 303-D Sowashee,..Gee! A FISH KILL? This happens while City of Meridian is applying for \$72-MILLION Dollars/WPCRLF Facilities Plan. POTWs IN SHAMBLD CONDITION!

(NOT IN TOTAL, by far!)



MDEQ Investigates Dead Fish

Updated: 8:36 AM Jul 9, 2010

MDEQ Investigates Dead Fish

Meridian, Miss.

An investigation is underway into the discovery of a number of dead fish in Meridian's Sowashee Creek.

Posted: 5:28 PM Jul 8, 2010

Like

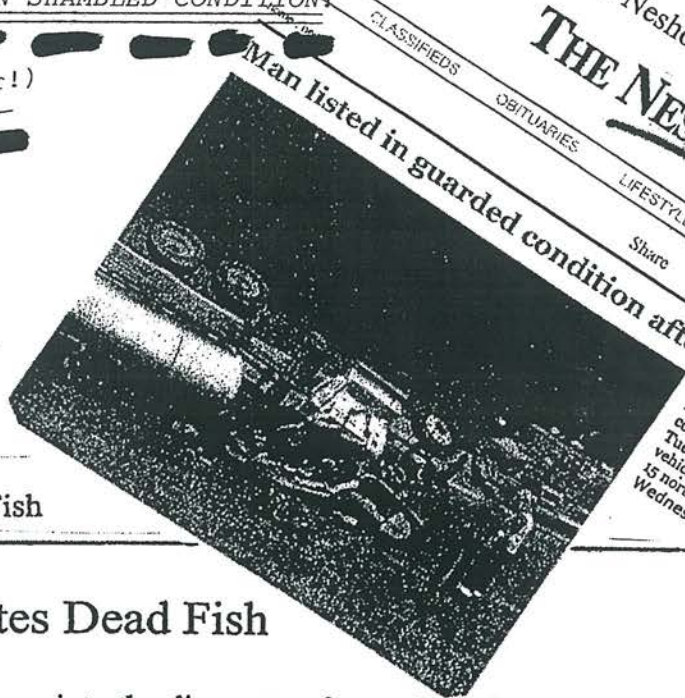
Be the first of your friends to like this.

An investigation is underway into the discovery of a number of dead fish in Meridian's Sowashee Creek. Numerous fish have been discovered dead there recently.

According to officials with the Mississippi Department of Environmental Quality, it appears that a truck wrecked and spilled milk that then ended up in the waste water treatment plant.

This in turn affected the oxygen level of the water, and ultimately, killed the fish.

Officials from MDEQ are expected to return to the area soon.



Man listed in guarded condition after accident

James Weaver, 35, of 4863 Weaver Sciples Mill Road, DeKalb, was listed in guarded condition at University Medical Center Tuesday after suffering injuries in a one-vehicle accident last Wednesday on Mississippi 15 north shortly before 6 a.m. Wednesday, July 07, 2010

THE NESHOPA DEMOCRAT
ON THE WEB

CLASSIFIEDS
OBITUARIES
LIFESTYLES
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EDITORIAL

REAL ESTATE

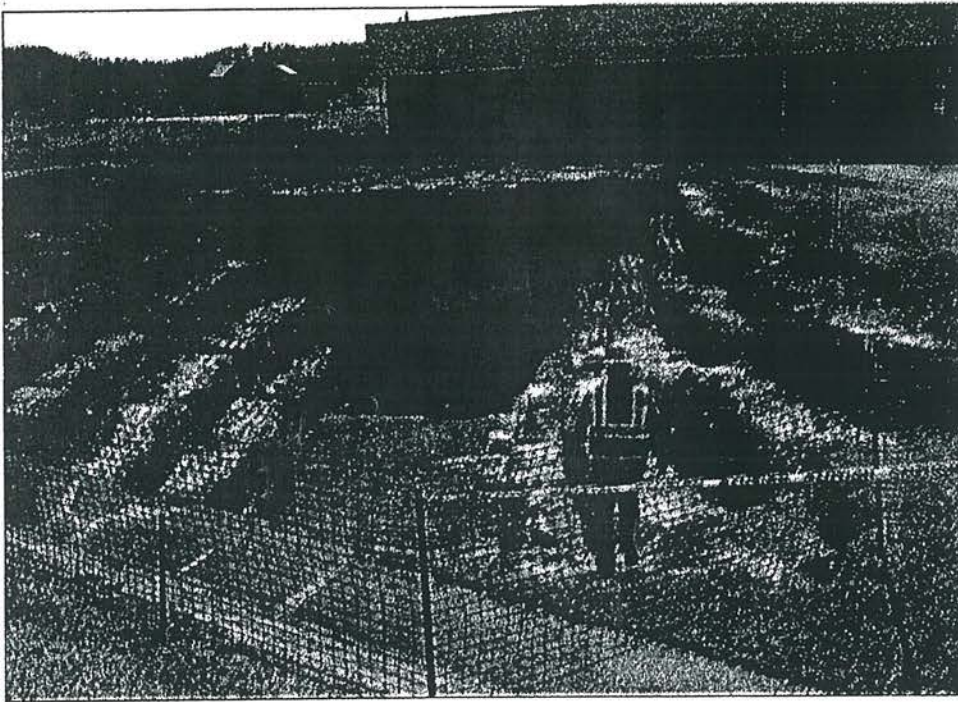
MAGAZINE

July 08, 2010

THE MERIDIAN STAR

Wednesday, March 7, 2012

LEAKED



Brian Livingston / The Meridian Star

A construction worker checks on an excavation site along Sowashee Creek and 22nd Avenue where gasoline seepage Tuesday halted a pipeline project of Mississippi Power.

Gasoline seeps into pipeline project

By Brian Livingston
blivingston@themeridianstar.com

For decades the old gas tanks that were part of a gas station next to Wendy's on 22nd Avenue have been underground, forgotten.

Construction workers digging a massive boring hole Monday came back Tuesday morning to find about 100 gallons of gasoline pooled in the bottom of the pit. The discovery effectively halted work on the gray water pipeline for Mississippi Power.

"When the workers saw the liquid in the pit they immediately stopped what they were doing and called local and state environmental authorities," said Verdel Hawkins,

community affairs manager for Mississippi Power. "We are waiting on a decision by environmental authorities on what our next step should be."

Hawkins said the pipeline will carry gray water from the waste water plant in Meridian. Hawkins said Mississippi Power is buying waste water from the plant to help with the lignite coal plant now under construction outside DeKalb.

Lauderdale County Emergency Management Agency Director David Sharp was on the scene as were representatives with the Mississippi Department of Environmental

See PROJECT on page A4

"It may have been 35 or 40 years ago," said Meridian Fire Department Chief Anthony Clayton. "It was a long time ago and those tanks have been in the ground all that time. I doubt much gas was left in them but as you can see it doesn't take much to stop an operation like this."

Hawkins said he didn't know when crews would be back at the location to resume work. He said they had been sent to another location.

"There is no danger to the general public," Hawkins said. "We just need to find out where this is coming from and how best to solve the problem."


Hawkins said the pipeline is to run underneath 22nd Avenue along the north side of Sowashee Creek and then toward DeKalb.

PROJECT from page A1

Quality to assess the situation. Liquid absorbent material was used to soak up as much of the gas as possible. Sharp said the buried gas tanks were about 100 feet from the pit.

"We don't know for certain but it appears gas has over the years leaked out into the surrounding area from those old tanks," said Sharp. "I really couldn't tell you how long those tanks have been in the ground."

The location was a JC Penny service area for the department store that used to be in the old mall a short distance away. In more recent years, the location was that of a Firestone tire service. But as to when a gas station was in operation at the site, many officials could only guess.



National Response Center
Complaint No. 1074727.

Location: Old Hwy 45-N
at access road to Meridian's
East POTW.
Feb. 21, 2014.

(9:30am±)

("A"-1. photo of 4.)

Meridian Naval Air Station
collection line to POTW, East
Meridian, MS. East MS0055735.
(Meridian East POTW/Collection
line began operation 2004.)

Note: See previous complaint photo's.

Meridian Naval Air Station's sewage contract
with City of Meridian grants Navy exclusive
use/capacity of Meridian's East POTW.
(1-Mkgal/future expansion of base.)

8-1

Meridian, MS.
Old Hwy 45-N.



trk.

East Meridian
POTW access
road.



Feb. 21, 2014, National Response Center
Complaint No. 1074727.

Location: Meridian POTW access road off
Old Hwy 45-N, Meridian, MS..

(East POTW: No. MS0055735, collection
line from Meridian Naval Air Station
into 303-D Sowashee Creek.)

("A"-2. photo of 4.)

Note: Navy Base has NO PRE-treatment Facility.
Jet fuel sillage/et al..

8-2.

NATIONAL RESPONSE CENTER Complaint:

("A"-3. photo of 4.) Feb. 21, 2014. (9:30am±)

No. 1074727

Location: Old Hwy 45-N, Meridian, MS. access road to Meridian POTW (East No. MS0055735). Meridian Naval Air Station's collection line to POTW. Photo shows raw sewage flow from manhole to under access road culvert flowing west directly into 303-D impaired/polluted Sowashee Creek since declared such, 1996. (POTW/plant and collection line opened in 2004.) (see next photo, "A"-4 photo of 4.)

East end of access road culvert/raw sewage flow to 303-D Sowashee creek..

B-3.

U.S. NAVY CONTRACT N62467-96-C-1815, dated 97 JUL 22. (City/Meridian CONTRACTOR)
(Page 63, "SEWAGE SERVICE SPECIFICATIONS", No. 3, "SERVICE TO BE RENDERED", Line 5,
"The contractor shall operate his sewage disposal and treatment facilities in conformity
with applicable laws, rules, and regulations promulgated by federal, state, and local
authorities.

NATIONAL RESPONSE CENTER Complaint No. 1074727.

NOTE: 02-Aug-2012, Amend To Contract,
City of Meridian requested and was
granted a "wastewater service" rate
increase from \$2.17 to \$4.60 per kgal.
(Amend/Modification No. P00009.)

("A"-4. of 4.) Feb. 21, 2014 (9:30am±)

Location: Old 45-N access road to Meridian, MS.
East POTW (located on Sowashee Creek bank side).
Photo looking west showing volume of raw sewage flow
from Meridian Naval Air Station collection line
manhole/S into 303-D Sowashee Creek. POTW and collection
line built by City of Meridian, opening 2004.

(SEE PREVIOUS COMPLAINT/S
FILED.)

UNCONSCIONABLE!

City of Meridian's
hay bail to break
sewage flow force.

West end of access road culvert/
raw sewage overflow from Meridian Naval
Air Station collection line
to East Meridian
POTW.

(Raw sewage flow to 303-D
Sowashee Creek.)

8-4

Meridian, MS., 303-D Impaired Sowashee Creek.
Feb. 21, 2014, National Response Center
Complaint No. 1074727.

Location: Sowashee Street/South Frontage
Road, Meridian, MS.
(Photo, "B"-1. of 4.)

(W. Inter. #153)
I20/59

WASHOCE

SOWASHEE STREET

SEE April 16, 2009 US.E.P.A. No. RA-09-000-58-05-RA,
Complaint (60+ pages) to Acting
Administrator, then Stan Meiburg.

B-5

I-20/59

I-20/59 box flow
raw sewage
Creek.
to
303-D
Sowashee
Creek
(south
end),

City of Meridian's hand dug flow
ditch for direct raw sewage
into 303-D Sowashee Creek.
(keeping the street clean!)

SOWASHEE STREET

FLOWING MANHOLE

Sowashee Street, Meridian,
MS.
(See previous filed comp.)

Feb. 21, 2014 (10:00am±) National Response
Center Complaint No. 1074727.
(Photo "B"-2. of 4.)

Note: White spec/5 shown, needles, condoms,
et al..

8-6-

I-20/59



I-20/59 box culvert
(south end) raw sewage Creek
flow to 303-D Sowashee Creek

City of Meridian's hand dug
ditch for raw sewage flow from
manhole located on Sowashee Street

Tributary flow to 303-D/Impaired
Sowashee Creek, box culvert/under
I-20/59

FRESH DUG DIRT

8-7

FEBRUARY 21 - 22, 2014
SOWASHEE OLYMPIC SECTION

Feb. 21, 2014, National Response
Center Complaint No. 1074727.

MERIDIAN, MS. (303-D Sowashee Creek)
Feb. 21, 2014 NATIONAL RESPONSE CENTER,
Complaint No. 1074727.
Location: Sowashee St. at South Frontage
Road at I-20/59. (W. Exit #153).

City of Meridian's "FRESHLY" dug ditch
to allow raw sewage to flow to 303-D
Sowashee Creek located on northside of
I-20/59.

NOTE: LOW INCOME HOUSING RESIDENT/S
Living contiguously near 303-D
Sowashee Creek are catching and
eating fish, (almost daily), with
raw sewage pouring from City of
collection/infrastructure over
past 20 years/+.

(W. of Exit #153)

I-20/59



I-20/59 (under), box culvert,
south end raw sewage flow.

City of Meridian's "FREASHLY" dug ditch
to allow raw sewage flow into 303-D Sowashee
Creek. (Keep Sowashee St. "CLEAN"!),.....
from "RAW do! /do!".

FLOWING SOWASHEE ST. MANHOLE

8-8-1

MERIDIAN/Lauderdale County, MS.
303-D Impaired Sowashee Creek (BPA-1996).

February 21, 2014

NATIONAL RESPONSE CENTER
Complaint No. 1074727.

Location: Old Hwy 80 east of Meridian, MS.

Subject: Raw sewage flow from City of Meridian's
"MAIN SEWER TRUNKLINE" contiguous to 303-D
Impaired Sowashee Creek/bank.

(Old Hwy 80, (East Meridian, MS.)

Feb. 21, 2014

This photo depicts a "LITE FLOW" of raw sewage
from City of Meridian's infrastructure/collection
after minimal previous nite's rainfall, into Sowashee Creek.
SEE: April 16, 2009 (5 years ago) US. E.P.A. complaint photo/S,
No. RA-09-000-58-05-RA, (Feb. 21, 2014-Photo)

to Stan Meiburg,
Region 4 Admin..

(Photo "C"-1. of 4.)

USA
TODAY
WEEK

303-D Sowashee Creek List 1996-)
(E.P.A.

id's shadow
over Ukraine

WOMEN STEAL
THE SHOW

8-9

February 21, 2014, NATIONAL RESPONSE CENTER
Complaint No. 1074727.

Subject: 303-D Sowashee Creek sewage overflows,
"AGAIN!". MERIDIAN, MS./MS. D.E.Q..

(30 YEARS/PLUS & FLOWING)

Note: Low income/public housing families
are "DAILY" catching/eating fish
from the "CONTINUOUSLY BEING
POLLUTED" 303-D Sowashee Creek.

(photo "C"-2 of 4.)
MERIDIAN, MS.
Feb. 21, 2014.

FORGET City of Meridian,

Where's MS. D.E.Q.'S

"OVER-SITE/ENFORCEMENT" -?

(CALL MDEQ/Harry Wilson/601-961-5171)

303-D SOWASHEE CREEK (EPA since 1996)

"LITTLE RAM SEWAGE
FLOW DAY!"
See: April 16, 2009 US. EPA. Complaint to
Acting Admin., Region 4, Stan Meiburg,
(60+ pages) No. RA-09-000-58-05-RA.

(5 YEARS AGO!)

8-10.

February 21, 2014, NATIONAL RESPONSE CENTER
Complaint No. 1074247.
Subject: City of Meridian, MS. infrastructure
pouring "RAW SEWAGE, AGAIN!" into 303-D
Sowashsee Creek.

City of Meridian, MS.
OTHER SEWAGE FLOWING MANHOLES/LINE.

Hwy 45 Bypass
Bridge.

"LITE FLOWING DAY!"
MANHOLE FLOWING
RAW SEWAGE.....

303-D IMPAIRED SOWASHSEE CREEK
(E.P.A. listed 1996)
PASCAGULA WATER BASIN

8-11

February 21, 2014 NATIONAL RESPONSE CENTER

Complaint No. 1074247.

Subject: City of Meridian, MS.'s infrastructure pouring "RAW SEWAGE"...AGAIN!, directly into the 303-D Sowashsee Creek.

Location: "NEW" Bridge site, Old Hwy 80 East, City of Meridian/Lauderdale County, MS..

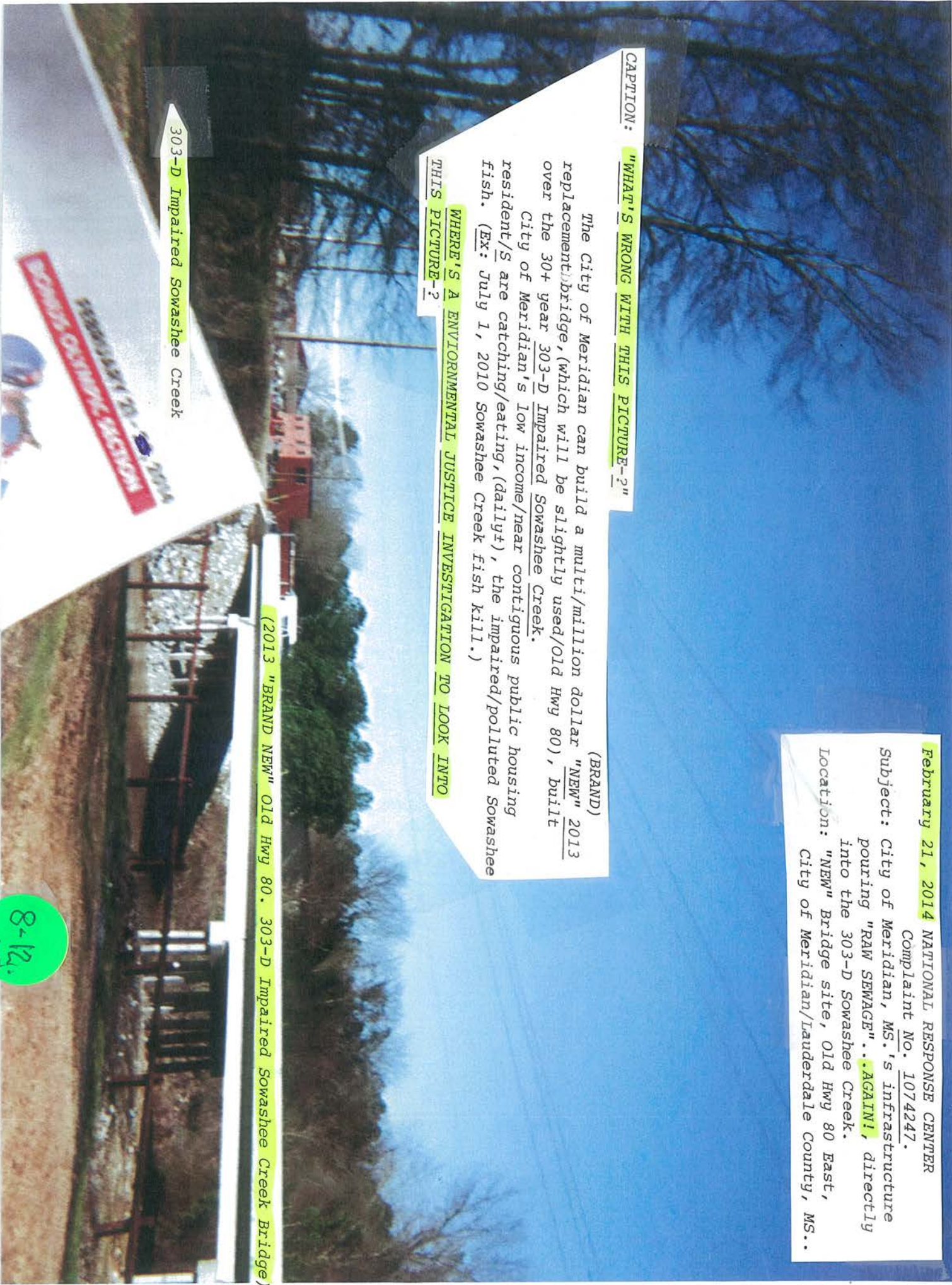
CAPTION: "WHAT'S WRONG WITH THIS PICTURE-?"

(BRAND)
The City of Meridian can build a multi/million dollar "NEW" 2013 replacement bridge, (which will be slightly used/Old Hwy 80), built over the 30+ year 303-D Impaired Sowashsee Creek.
City of Meridian's low income/near contiguous public housing resident/s are catching/eating, (dailyt), the impaired/polluted Sowashsee fish. (Ex: July 1, 2010 Sowashsee Creek fish kill.)

WHERE'S A ENVIRONMENTAL JUSTICE INVESTIGATION TO LOOK INTO THIS PICTURE-?

303-D Impaired Sowashsee Creek

(2013 "BRAND NEW" Old Hwy 80. 303-D Impaired Sowashsee Creek Bridge)



8-12.

BEFORE THE MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

IN THE MATTER OF:

EVIDENTIARY HEARING REQUEST REGARDING MODIFICATION OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE CITY OF MERIDIAN'S PUBLICALLY OWNED TREATMENT WORKS (NO. MS0020117), LAUDERDALE COUNTY, MISSISSIPPI

AFFIDAVIT (DIRECT TESTIMONY)

STATE OF MISSISSIPPI

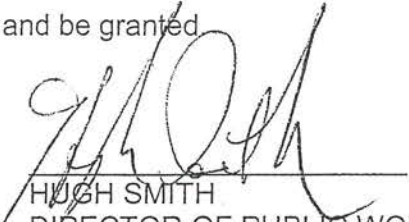
COUNTY OF LAUDERDALE

PERSONALLY APPEARED BEFORE ME the undersigned authority in and for the jurisdiction aforesaid, Hugh Smith, who after being by me first duly sworn stated on oath the following:

1. I am above the age of twenty-one years, suffering under no legal disability, am otherwise competent to testify to the facts and matters herein, and I make this affidavit on my own personal knowledge.
2. In preparation for making this Affidavit, I have done each thing necessary or incidental to refreshing and verifying the accuracy of my memory of the facts and circumstances to which reference or recitation is made herein.
3. Any opinion expressed herein is rationally based on my unexcited perception, the totality of circumstances known to me and is limited to those opinions which are helpful to a clear understanding of my testimony or the determination of a fact in issue.
4. I presently serve as Director of Public Works for the City of Meridian, Mississippi and have served in that capacity, initially in an interim capacity then confirmed to the position, since July 2013. Prior to my appointment as Director of Public Works, I served as Assistant Director of Public Works.
5. I hold a B.S. in Environmental Science and a Masters Degree in Physical Science with an emphasis in Environmental Management. I am a certified Class IV Wastewater Operator and a certified Class A Drinking Water Operator.

6. Meridian holds a permit to operate a POTW in compliance with state and federal regulations. Due to a change in discharge operation, specifically the entering into of a contract with Mississippi Power Company regarding the transference of treated plant effluent to their facility for process water use, Meridian requested a modification of the permit. That modification was granted by MDEQ on March 30, 2012. Meridian has at all times relevant herein operated in accordance with the permit and modified permit, as applicable. Any rescinding of the modified permit would have a grave economic impact to both Meridian and Mississippi Power Company. Additionally, rescinding the modified permit could place Meridian in the position of either breaching a binding contract with Mississippi Power or operating outside its POTW permit in violation of state and federal law.
7. The permit modifications at issue here complied with all applicable state and federal laws and regulations, as well as MDEQ rules and procedures. As such, the permit modification should proceed as submitted and be granted.

FURTHER AFFIANT SAYETH NOT.


HUGH SMITH
DIRECTOR OF PUBLIC WORKS
CITY OF MERIDIAN

Affiant, Hugh Smith, personally appeared before me, authority in and for the above stated jurisdiction, and affirmed under oath that the statements contained in this Affidavit are true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME this the 19th day of February, 2014.



BEFORE THE MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD



IN THE MATTER OF:

EVIDENTIARY HEARING REQUEST REGARDING MODIFICATION OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE CITY OF MERIDIAN'S PUBLICALLY OWNED TREATMENT WORKS (NO. MS0020117), LAUDERDALE COUNTY, MISSISSIPPI

AFFIDAVIT

(DIRECT TESTIMONY)

*SEE PAGE # 5, No 7-9
and Insert Page
(5-A)*

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME the undersigned authority in and for the jurisdiction aforesaid, the within named HARRY M. WILSON, III, who, after being by me first duly sworn, stated on oath the following:

1. My name is Harry M. Wilson, III and I am the Chief of the Environmental Permits Division of the Office of Pollution Control of the Mississippi Department of Environmental Quality (MDEQ). I am over twenty-one years of age and have personal knowledge of the matters stated in the affidavit. I have a Bachelor of Science Civil Engineering Degree from Mississippi State University. I have been a registered Professional Engineer since 1997 and a Diplomate in the American Academy of Environmental Engineers since 2004. I have been employed by MDEQ for over 22 years and have been Chief of the Environmental Permits Division (EPD) since July of 2006. EPD's Municipal and Private Facilities Branch develops, issues, and maintains National Pollutant Discharge Elimination System (NPDES) Permits. NPDES permits are primarily issued to municipalities and private facilities that generate domestic wastewater. I

WHAT ABOUT "MEGA" EXISTING DISCHARGE VIOLATIONS?

supervised MDEQ staff responsible for processing the City of Meridian's application for modification of the City's NPDES permit (No. MS0020117) for the South Meridian Publically Owned Treatment Works (POTW) which is located in Lauderdale County, Mississippi. The staff file is attached as Composite Exhibit A.¹

2. MDEQ administers the NPDES permitting program in the State of Mississippi. The NPDES permitting program was initiated in Section 402 of the federal Clean Water Act (33 U.S. § 1342). Pursuant to the Clean Water Act, the Administrator of the U.S. Environmental Protection Agency (EPA) could delegate its authority to issue NPDES permits to States seeking to administer their own program. 33 U.S. § 1342 (b). EPA has delegated authority to MDEQ, on behalf of the State of Mississippi, to issue NPDES permits in Mississippi. In order for EPA to delegate authority to MDEQ to administer the NPDES permitting program in Mississippi, MDEQ had to demonstrate it had State statutory and regulatory authority to issue permits in Mississippi that would comply with the Clean Water Act and the federal regulations governing the NPDES program. Certain sections of 40 C.F.R. Parts 122, 123, and 124 (hereafter "federal regulations") apply to the State's NPDES program. MDEQ entered a Memorandum of Agreement (MOA) with EPA Region 4 which outlined the policies, responsibilities, and procedures governing how MDEQ would administer the NPDES program in Mississippi. Exhibit B.
3. The City of Meridian's NPDES permit for its South POTW was modified on March 30, 2012. The South POTW is located on 311 27th Avenue, Meridian, Lauderdale County, Mississippi, and discharges from Outfall 001 into Sowashee Creek. Meridian requested

¹Composite Exhibit A is a copy of the entire Environmental Permits Division public record file in this matter. The exhibit is not attached to this affidavit due to its volume; however, the exhibit is available at MDEQ's offices and will be available at the evidentiary hearing

the modification because of an agreement it entered with Mississippi Power Company whereby Meridian would supply treated effluent from its East and South POTWs to Mississippi Power Company for use as cooling water at its Integrated Gas Combined Cycle (IGCC) facility in Kemper County. The treated effluent from Meridian's East and South POTW is being transported to the IGCC facility via a 31-mile pipeline. Exhibit C (Pickering document "Quantification of East WWTF Effluent Released During Reverse Flow Operation"). The pipeline infrastructure includes two pumping stations, one at the East POTW and one at the South POTW, which pump treated effluent to the IGCC facility. *Id.* The IGCC facility will hold the water in a reservoir located onsite. *Id.* Because there may be occasions where the IGCC reservoir cannot receive all of Meridian's treated effluent, the modified permit allows for discharge of the treated effluent into Sowashee Creek. *Id.* The IGCC facility only intends to engage in reverse flow operations as a last resort only where the IGCC facility reservoir is at maximum capacity. *Id.* If reverse flow conditions become necessary, operations staff at the IGCC facility will coordinate with operations staff at the Meridian POTW's.

4. Now that the infrastructure required to pipe the treated effluent from Meridian to the IGCC facility has been installed, Meridian requested that its permit be further modified to reflect actual operational conditions that became apparent during the start-up phase. The modifications include the following: removing redundant fecal coliform limitations from internal outfalls; revising chlorine limitations to ensure adequate residual for disinfection of comingled streams from the East and South POTWs; correcting an error when the seasons were reversed; sample types that were 24-hour composites were changed to 8-hour composites for internal outfall 201; included language to suspend sampling

requirements when the treated effluent is being directed to the IGCC facility; added a narrative requirement for recording the duration of all discharges to Sowashee Creek; and other minor clarifications and additions.

5. Outfall 001 is the current South Meridian POTW treated effluent outfall into Sowashee Creek. Outfall 002 is the combined treated effluent discharges from the Meridian South and East POTWs. The discharge location for Outfall 002 is the current Meridian South POTW treated effluent outfall into Sowashee Creek. Outfall 101 is an internal outfall after final treatment by South Meridian POTW. Outfall 201 is an internal outfall after final treatment by East Meridian POTW. Meridian is required by its NPDES permit to test each of the outfalls, including the internal outfalls, to ensure they meet certain parameters described in the permit. Before the modification, the East Meridian POTW discharged into Sowashee Creek. Under the modified permit, Meridian will treat effluent from its East POTW and its South POTW. The treated effluent from both POTWs will be combined and piped to the IGCC facility. In the event Kemper County cannot receive the treated effluent, Meridian will discharge the combined treated effluent from Outfall 002 in compliance with the parameters set forth in the modified permit. Upon completion of the infrastructure to connect the wastewater treatment systems to the Kemper County facility, the permittee will be regulated by the limitations for Outfall 002, 101, and 201 and limitations for Outfall 001 will no longer apply.
6. MDEQ received a letter dated February 6, 2014, from the City of Meridian stating the East POTW is no longer capable of discharge to Sowashee Creek and that pumps and piping have been removed. The City went on to request NPDES Permit No. MS0055735 (East Meridian POTW) be terminated. Because there is no longer a discharge at the East

YOU FIGURE IT OUT?

VERY STRANGE!

SEE EXHIBIT No. 9-2, P. 5, No. 7.
H. Wilson Testimony.

NOTE: Andrew Whitehurst of Gulf Restoration Network, N.O., LA., spent Feb. 14, 2013, (the entire day), with Check, (me) traveling to City of Meridian's illegal discharging sites, (Andrew took all photo/S that day and forwarded same (photoS to me, which certain of his pictures are contained herein). Further, Andrew Whitehurst and I, filed F.O.I.A./S on City of Meridian' POTW /S/ Collection System, Dalewood Sewer District, Lau. Co., MS., Town of Marion, MS., MS Power/Kemper Co. Lignite Plant,

NOTE: THERE WAS NO "AGREED ORDER", No. 6330-13 of Sept. 26, 2013 TO BE FOUND IN SAID MDEQ FILES, TO BE FOUND BY EITHER OF US! (HOW STRANGE?)

FURTHER, a. Andrew is a former MDEQ Permit Board Member,.....
"AS HIM WHY HE QUIT THE BOARD?" (601-954-7236)

b. In G.R.N.'s filed lawsuit against the City of Hattiesburg, (See Below), GUESS WHO REPRESENTS the CITY?

DGER.COM » THE CLARION-LEDGER

FROM THE FRONT

Environmentalists file motion against city

Hattiesburg
sewage
release cited

Associated Press

HATTIESBURG — The Gulf Restoration Network has asked a federal judge to hold the city of Hattiesburg liable under the Clean Water Act for releasing improperly treated sewage into the Leaf and Bouie rivers. The Hattiesburg American reports the motion was filed in federal court Jan. 7, two days before the city entered

into a 30-year contract with a company to take over the dispersal of treated wastewater.

Groundworx LLC is to modify Hattiesburg's sewage lagoons and stop the discharge of wastewater into the Leaf River. The partially treated wastewater would be piped and sprayed over about 10,000 acres of land in Forrest and Lamar counties.

"This was something that we were going to have to do anyway because the regulations are changing, what we can put in the river, the limits are changing," City

Council President Kim Bradley said.

"We're not going to do the conventional, cookie-cutter way like everybody else, treat it up and dump it in the river.

"We're going to take it and create a really unique irrigation system. We're going to grow trees, and we're going to grow grass, and we're going to do the green thing."

The GRN's motion for summary judgment asks U.S. District Judge Kenneth Starrett to find the city liable for 5,464 days in violation of the permissible levels of sewage

allowed in the discharge permits, said Andrew Whitehurst, GRN's water policy director.

The GRN sued the city in March 2012.

"The city's own records clearly show thousands of violations of pollution standards, including for fecal coliform bacteria, biological oxygen demand and total supplemental solids," Whitehurst said.

"Local communities are tired of dealing with the foul air from these sewage treatment facilities and the pollution in the Bouie and Leaf rivers."

ANSWER: BRUNINI & BRUNINI LAW FIRM

1/16/14

Clarion Ledger

SEE WHO REPRESENTS CITY OF HATTIESBURG, MS.

5-A

Meridian POTW, MDEQ plans to revoke East Meridian's NPDES permit. Upon revocation of the East Meridian POTW permit, Outfall 002, 101, and 201 of the South Meridian POTW are the regulated and active outfalls for the South and East POTWs.

7. The proposed modification went to public notice on June 27, 2013, with public comments due by July 27, 2013. Exhibit E (public notice). MDEQ initially received two requests for a public hearing, one from the Gulf Restoration Network ("GRN") and the other from Mr. Austin (Dan) Check, the Petitioner in this case. Exhibit F. After meeting with my staff and me, Mr. Andrew Whitehurst, GRN's Assistant Director of Science and Water Policy, withdrew GRN's request for public hearing. ^{W WHAT-??} Mr. Check did not meet with me and did not withdraw his request for public hearing. MDEQ brought Mr. Check's public hearing request to the Mississippi Environmental Quality Permit Board on October 8, 2013, with recommendation that the Permit Board deny the request. Exhibit G (October minutes). The Permit Board has the discretion to hold a public hearing or meeting to obtain public comments on a proposed Permit Board action. Miss. Code Ann. § 49-17-29 (4)(a) (Rev. 2012) and 11 Miss. Admin. Code ¶Pt. 6, R. 1.1.3.G(1)(a). Because Mr. Check was the only requestor after GRN withdrew its request, and because Mr. Check also had a history with the Permit Board of requesting evidentiary hearings on permits and then failing to appear for the hearing, MDEQ staff elevated the request to the Permit Board and recommended the Board deny the request because there was a lack of public interest. *Id.* The Permit Board has discretion to determine whether to hold a public hearing. Miss. Code Ann. § 49-17-29 (4)(a) (Rev. 2012) and 11 Miss. Admin. Code ¶Pt. 6, R. 1.1.3.G(1)(a). *See also* Exhibit B ("public notice of a public hearing, if one is determined to be appropriate, shall be given at least thirty (30) days before the hearing."

MOA § III. D.2, p. 12). The Permit Board denied Mr. Check's request for a public hearing.

8. On November 12, 2013, MDEQ brought Meridian's proposed permit modification for the Permit Board's consideration. Mr. Check was invited, and did attend, the Permit Board meeting. The Permit Board allowed Mr. Check to reiterate his request for a public hearing. The Permit Board again denied the request. Exhibit H (November minutes).

After hearing from MDEQ staff, Mr. Check, and Mr. Whitehurst with GRN, the Permit Board voted to issue the permit modification to Meridian. Mr. Check requested an evidentiary hearing on December 12, 2013. Exhibit I (evidentiary hearing request).

9. With the modification of the Meridian South POTW permit, most of the treated effluent from both the East and South POTWs is allowed to be piped to the IGCC facility; thus, there will normally only be intermittent discharges of treated effluent into Sowashee Creek on occasions when the IGCC facility cannot take the treated effluent. On the occasions when the treated effluent is discharged into Sowashee Creek, the modified permit requires the effluent to meet certain parameters, limitations, and standards. The IGCC facility plans to store the treated effluent in a reservoir and not discharge the effluent.

10. The cover sheet of the modified permit approved by the Permit Board on November 12, 2013, erroneously noted a new expiration date of October 31, 2018. This was an administrative error because modifying an existing permit does not extend the expiration date. The cover sheet should actually reflect that the modified permit expires on May 31, 2015. I corrected this error by resigning the cover sheet. A copy of the permit with the

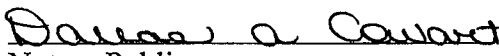
erroneous coversheet is attached as Exhibit J. A copy of the corrected coversheet is attached as Exhibit K. The modified permit remains the same.

11. The permit modification complies with applicable state and federal laws and regulations including, but not limited to, the following: Clean Water Act (33 U.S.C. §§ 1251, et seq.); Mississippi Air and Water Pollution Control Law (Miss. Code Ann. §§ 49-17-1 through 49-17-43); certain sections of federal regulations 40 C.F.R. Parts 122, 123, and 124; and certain sections of Mississippi Regulations 11 Miss. Admin. Code Pt. 6, Ch. 1. I recommend the Permit Board affirm its decision of November 12, 2013, to approve the modification of the City of Meridian's NPDES permit for its South POTW.

FURTHER THE AFFIANT SAYETH NOT


Harry M. Wilson, III

SWORN TO AND SUBSCRIBED BEFORE ME, this the 18th day of February, 2014.


Notary Public

My Commission Expires:



SOMASHEE CREEK/Raw sewage pollution/AGAIN!
November 27, 2013, Meridian, MS. (09:40am)
Meridian Naval Air Station/Meridian
East POTW/Collection Pipeline. Old
Hwy 45 North/on entrance road to
POTW's location. MDEQ Permit NO.
MS0055735. (Photographer, Terri
Smith, Meridian Star Newspaper)
Reporter. Phone 601-693-1551.

Note: See U.S. E.P.A. (60+ pages) Complaint
filed April 16, 2009, No. (Tracking)
R4-09-000-58-05-RA.



SOMASHEE CREEK/Raw sewage pollution/AGAIN!

November 27, 2013, Meridian, MS. (09:40am)
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Note: See U.S. E.P.A. (60+ pages) Complaint
filed April 16, 2009, No. (Tracking)
R4-09-000-58-05-RA.

303-D

Date: March 17, 2013

305

SOMASHEE CREEK/Raw sewage pollution/AGAIN!

March 17, 2013, Meridian, MS. (10:30am)

Meridian Naval Air Station/Meridian, MS.
East POTW Collection Pipeline. Old Hwy
45 North/ on entrance/access road to POTW's
HDEQ Permit No. MS0055735. (Pictured,
Vally Hudnall, Phone 601-527-4399.

1 of 4

Note: See U.S. E.P.A. (60+ pages) Complaint
Filed April 16, 2009, No. (Tracking)
R4-09-000-58-05-RA.



2050
Date: March 17, 2013

SOMASHEE CREEK/Raw sewage pollution/AGAIN!
March 17, 2013, Meridian, MS. (10:30am)
Meridian Naval Air Station/Meridian, MS.
East POTW Collection Pipeline. Old Hwy
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2. of 4.





SOMASHEE CREEK/Raw sewage pollution/AGAIN!

March 17, 2013, Meridian, MS. (10:30am)
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Date: March 17, 2013.

303-D "SOMASHEE CREEK"

3 of 4



SOMASHEE CREEK/Raw sewage pollution/AGAIN!

March 17, 2013, Meridian, MS. (10:30am)

Meridian Naval Air Station/Meridian, MS.

East POTW Collection Pipeline. Old Hwy

45 North/ on entrance/access road to POTW's

MSDEQ Permit No. MS0055735. (Pictured,

Wally Hudnall, Phone 601-527-4399.

March 17, 2013

303-D

City of Meridian's "LIME-AIDE"!

February 14, 2013, City of Meridian's East POTW collection line from Meridian Naval Air Station/Base. Location: Access road of Old Hwy 45 N. to POTW./Sowashée Creek.

Note: This photo was shot/taken by Andrew Whitehurst..of Gulf Restoration Network, New Orleans, LA..

Whitehurst and Check spent entire day driving to City of Meridian's illegal discharging location/S plus MS Power Lignite Plant's GO-2/Sewage pipeline wetland/S issues/et al..

BEFORE MAY BAH INVESTIGATION!

Feb. 14 2013 EAST POTW Collection Line from NAVY BASE

City of Meridian's "LIME-AIDE"!

February 14, 2013, City of Meridian's East POTW collection line from Meridian Naval Air Station/Base. Location: Access road of Old Hwy 45 N. to POTW./Sowashsee Creek.

Note: This photo was shot/taken by Andrew Whitehurst..of Gulf Restoration Network, New Orleans, LA..

Whitehurst and Check spent entire day driving to City of Meridian's illegal discharging location/S plus MS Power Lignite Plant's 00-2/Sewage pipeline wetland/S issues/et al..



NOTE: BEFORE MAY BAIL INSTALLATION!



(SEE THE CITY'S LIME APP) NAVY BASE, BIL. IN 2013 EAST POTW/MEDICAL WKS COLLECTION LINE.

FROM THE CITY'S LIME APP

SOWASHEE CREEK/Raw sewage pollution/AGALNI:
November 27, 2013, Meridian, MS. (10:20am)
Location: Sowashsee Street, City of Meridian's
Collection Pipeline to Meridian South POTW
MDEQ Permit No. MS0020117. Photographer,
Terry Smith, Meridian Star Newspaper Reporter,
Phone 601-693-1551.

Note: See U.S. E.P.A. (60+ pages) Complaint
filed April 16, 2009, No. (Tracking)
R4-09-000-58-05-RA.



SOWASHEE CREEK/Raw sewage pollution/AGAIN!

November 27, 2013, Meridian, MS. (10:20am)

Location: Sowashee Street, City of Meridian's
Collection Pipeline to Meridian South POTW
MDEQ Permit No. MS0020117. Photographer,
Terri Smith, Meridian Star Newspaper Reporter,
Phone 601-693-1551.

303-D

Note: See U.S. E.P.A. (60+ pages) Complaint
filed April 16, 2009, No. (Tracking)
R4-09-000-58-05-RA.

SOMASSEE ST. FRI. MARCH 12, 2010, MEDICAN, MS.



Meridian, MS

MANHOLE "A"

SOWASHEE ST. 2009



LOCATION:

Behind
STRIBLING EQUIP.
125 OLD Hwy 11/80
Meriden, MS.

DATE:

MARCH 6, 2011

PHOTOS

FLOW/DISCHARGE/
EROSION TO
SOWASHEE
CREEK

NOTE:
THIS IS LOW
PRESSURE PHOTO!
(MUST SEE EDMAN CANALE
BLOW-OUT!)

EROSION/FLOW
DIRECTLY INTO 303-D
SOWASHEE
CREEK

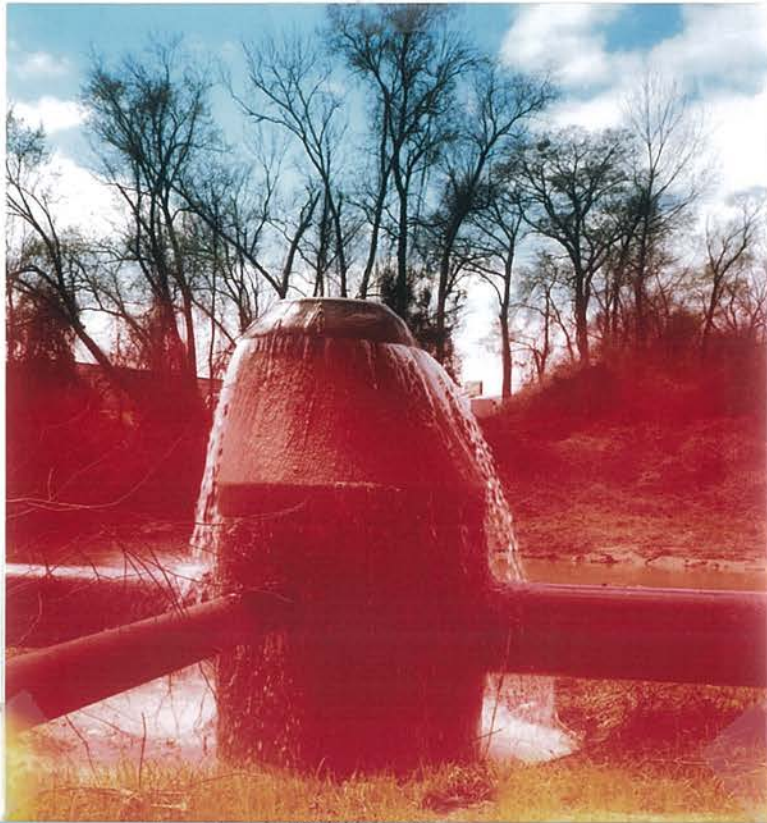
POURING:

TOILET PAPER
TAMPONS
CONDOMS
ET AL.

REMEMBER E.P.A.
COMPLAINT, (60+ P.)
R4-09-000-58-5-RA
SENT APRIL 2009.?

MERIDIAN SEWAGE
"COLLECTION SYSTEM"
SOWASHEE CREEK
MERIDIAN, MS,

PHOTOS SHOT
MARCH 6, 2011



303-D SOWASHEE CREEK

(BETTER SHOT/EROSIONS)

NOTE: KUDZO PLANT MATERIAL IN FOREGROUND
WILL SOON COVER UP EROSION.

SHOULD HAVE HEARD IT BLOW!!

SOWASHEE CREEK

SOWASHEE CREEK

SEWAGE RUNOFF INTO
SOWASHEE CREEK

CITY OF MERIDIAN-MAIN SEWER TR.

April 13, 2009.
SOWASHEE CREEK - 303-D
MAIN SEWAGE LINE
CONTIGUOUS TO CREEK BANK.
COLD US HWY 80 EAST
of Meridian, MS
MERIDIAN, MS

↓ OLD MALL / SOWASHEE CREEK
BELOW.



↑ SOURCE

March 9, 2011.



↑
SOURCE

MAR. 9, 2011
MERIDIAN, MS.
North Frontage Rd., Rose Mobile. B.



March 9, 2011.



HUDSON'S
↙

↙ DITCH
TO
SOUWASHEE
CREEK

1 1/2"
COPPER/
RUBBER
HOSE
PIPE
↗

↙ WEST
MAIN SEWER LINE

↗ 4" Pipe/cut-off
valve.

Mar. 9, 2011

MERIDIAN, MS.

North Frontage Rd., (Hudson Cntr.)

C.

TRAIN TRESTLE

FLOWING SOWASHEE CREEK

MANHOLE HANGING IN MID-AIR
(City of Meridian Main Trunkline
SEWER)

HANGING IN MID-AIR.

FLOWING
SOWASHEE CREEK
TRIBUTARY

SOWASHEE CREEK,
Meridian, MS.

SHOT April 13, 2009

City of Meridian
main trunk sewer
line adjoining creek.

Manhole hanging in
mid-air from erosion
caused by blow-out
raw sewage flow.

STENCH, STENCH, STENCH..!!

NOTE: Over road train crew member reported
seeing 10' + geyser shooting from this manhole
while train passing by,...."FOR YEARS!"

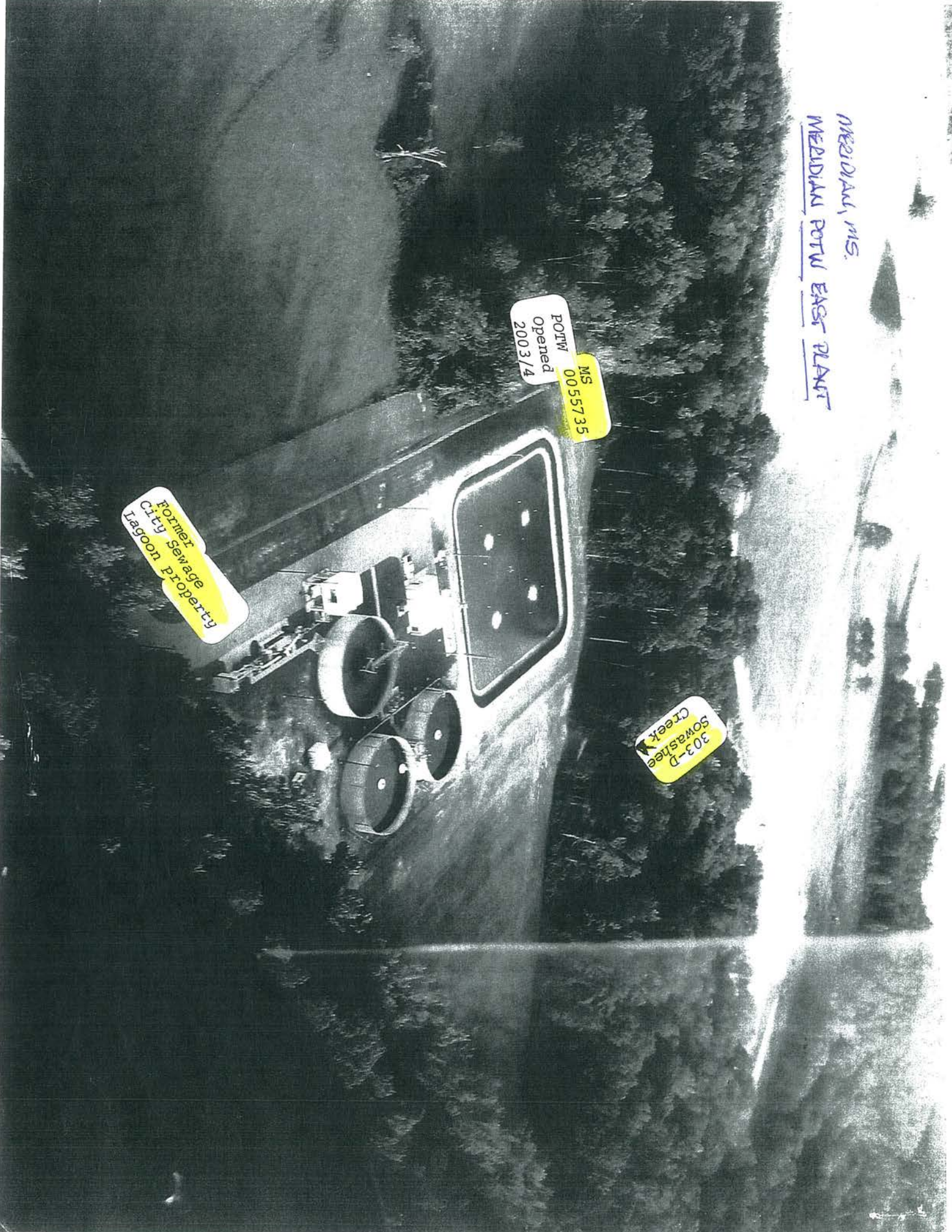
AFTER SHOOTING PICTURES, (not wanting to get to close
to sewage manhole for fear of how far into
under bank, undermining,...when entering
vehicle to leave area,..."GUESS WHAT THE BOTTOM
OF OUR SHOES SMELLED LIKE...?
(HINT...., ONE FOUR LETTER WORD!!)

MEBIDIAN, MS.
MEBIDIAN POTW EAST PLANT

MS
0055735
POTW
Opened
2003/4

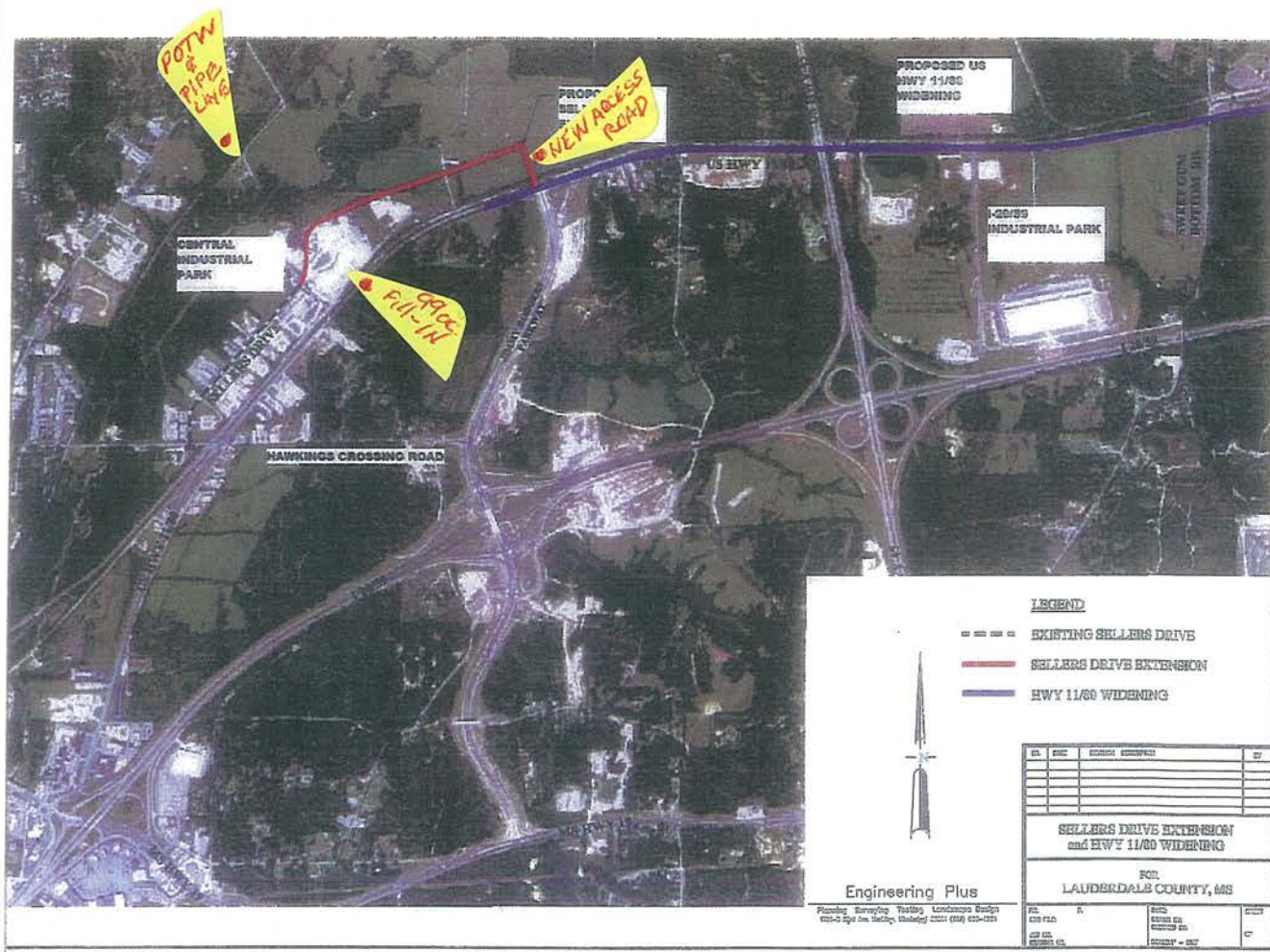
Former
City Sewage
Lagoon property

303-D
Sowashee
Creek



Jimmie Rodgers Parkway Railroad Crossing

A railroad crossing is proposed less than one mile from APAC and Dunn on the Norfolk Southern Railroad. The crossing would be located at the intersection of Jimmie Rodgers Parkway and Highway 11/80 relieving the congestion and removing the traffic hazards at Hawkins Crossing. In addition, the connection to I-20/59 Interchange would open up several hundred acres of private property north of the track for industrial development.



Most importantly, these improvements would relieve the congestion in the park making safe the ingress and egress for the park tenants:

APAC-Mississippi, Inc.
 Commercial Doors & Hardware
 Dunn Roadbuilders, Inc.
 Gipson Steel

Ryder Truck Rental
 The Service Company of Meridian, Inc.
 Tri-State Truck Center
 Waste Management

Skip to main content

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EPA to penalize city for sewage overflows

February 20, 2013

BY NATHAN GREGORY

citybeat@starkvilledailynews.com

City Public Works Director Doug Devlin informed the Starkville Board of Aldermen Tuesday that the Environmental Protection Agency planned to impose monetary penalties on the city retroactively for sanitary sewer overflows in the public collection system over a five-year period.

The regulatory action now requires the city to more aggressively enforce its ordinance regarding the discharge of fats, oils and grease into the public sanitary sewer system to avoid future fines. The code pertaining to prohibited chemicals allowed in the collection system, Sec. 110-92, states that any waters or wastes containing grease, fats, was or oils in excess of 100 milligrams per liter that can solidify at temperatures between 32 and 150 degrees Fahrenheit.

EPA officials audited the city's sewer collection system on Jan. 29 and Jan. 30 accompanied by a representative of the Mississippi Department of Environmental Quality.

Devlin said he did not know how much of a fine EPA would direct the city to pay. He and City Attorney Chris Latimer would speak with EPA officials next month via teleconference to discuss the penalties, he said. According to Devlin, the discharging of fats, oils and grease into the collection system is one of the primary causes of sanitary sewer overflows.

Over the next few years, EPA officials will audit all Mississippi municipalities who have treatment permits of 10 million gallons per day or higher, and Starkville was one of the first that was evaluated, according to Devlin.

"This news is going to result in a huge change in the way we do business as far as managing our collection system," Devlin informed the board Tuesday. "The old method was you looked at sewer overflows as going and taking care of them as a cost of doing business ... With this regulation the city is fined for each month that a sanitary sewer overflow occurs. It's going to take a lot of work on the city's part and also it's going to take a lot of help from the public and from customers in regards to deposits of grease into the sanitary sewage system."

Devlin said the city had been transparent by notifying MDEQ and EPA officials of violations.

"As soon as we know of an overflow we report it like we're supposed to, but the bad news is those who didn't report them are going to pay less fines," he said.

On Wednesday Devlin said both he and the MDEQ official were "shocked" by the agency's intentions to impose the fines.

"When (MDEQ) does an enforcement action of some type, unless there is a criminal violation, their method is not to impose fines and penalties," Devlin said. "They do what is called an agreed order where you lay out a capital improvement plan to improve the issues, and we work together with them. If we correct the issues, there are no fines or penalties, but ultimately the federal government operates in a different manner than our state agency does."

According to an EPA guide for evaluating capacity, management, operation and maintenance programs of collection systems, a wastewater treatment plant operator should ensure that new and rehabilitated sewers and connections from businesses within a municipality are properly designed, constructed and tested before being put into service.

"This authority could take the form of design and performance specifications in a sewer use ordinance or other legal document such as a statute or series of contracts or joint powers agreements. The ordinance or legal document should contain, at a minimum, general prohibitions, adequate grease control requirements and measures, prohibitions on stormwater inflow, infiltration from laterals, and new construction standards," the guide states. "The grease control section of the document should contain the requirement to install grease traps at appropriate facilities (e.g., restaurants). Additionally, these facilities should be required to properly maintain the grease traps and pump them out on a regular basis. The document should also address periodic inspections of grease traps by collection system personnel and the ability to enforce (i.e., levy fines on persistent offenders)."

Devlin said updated building codes had mandated new establishments such as restaurants to install a grease interceptor that collected grease and prevented it from entering the sewer system.

"We don't want people to think Starkville drew attention to itself because of a bunch of violations," Devlin said.

"Everybody in Mississippi with a 10-million-gallon-per-day permit is going to be audited over the next couple of years, and what surprised us is how (EPA is) going to go back retroactively and impose these penalties."

Between now and the teleconference, Devlin said public works officials were gaining a full understanding of the EPA laws.

"When we talk to (the EPA) we want to definitely try to work with them and try to minimize the impact of the penalties in any way possible," he said.



You might like:



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1/16/14
Clarion Ledger

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FROM THE FRONT

Environmentalists file motion against city

Hattiesburg sewage release cited

Associated Press

HATTIESBURG — The Gulf Restoration Network has asked a federal judge to hold the city of Hattiesburg liable under the Clean Water Act for releasing improperly treated sewage into the Leaf and Bouie rivers.

The Hattiesburg American reports the motion was filed in federal court Jan. 7, two days before the city entered

into a 30-year contract with a company to take over the dispersal of treated wastewater.

Groundworx LLC is to modify Hattiesburg's sewage lagoons and stop the discharge of wastewater into the Leaf River. The partially treated wastewater would be piped and sprayed over about 10,000 acres of land in Forrest and Lamar counties.

"This was something that we were going to have to do anyway because the regulations are changing, what we can put in the river, the limits are changing," City

Council President Kim Bradley said.

"We're not going to do the conventional, cookie-cutter way like everybody else, treat it up and dump it in the river.

"We're going to take it and create a really unique irrigation system. We're going to grow trees, and we're going to grow grass, and we're going to do the green thing."

The GRN's motion for summary judgment asks U.S. District Judge Kenneth Starrett to find the city liable for 5,464 days in violation of the permissible levels of sewage

allowed in the discharge permits, said Andrew Whitehurst, GRN's water policy director.

The GRN sued the city in March 2012.

"The city's own records clearly show thousands of violations of pollution standards, including for fecal coliform bacteria, biological oxygen demand and total supplemental solids," Whitehurst said.

"Local communities are tired of dealing with the foul air from these sewage treatment facilities and the pollution in the Bouie and Leaf rivers."

THE MERIDIAN STAR

Wednesday, March 12, 2014

Grants could fund more walkways

Terri Ferguson Smith
tsmith@themeridianstar.com

County officials are applying for two grants that could provide more walking areas. Kawana McCary, of the East Central Planning and Development District, said the Lauderdale County Board of Supervisors is in the process of applying for a Mississippi Department of Wildlife, Fisheries and Parks grant that could provide up to \$100,000 to extend a walking trail at Q.V. Sykes Park.

It's an 80/20 grant, which means the county would have to provide 20 percent of the cost in matching funds. There

is a half-mile walking trail already there. The next phase would lengthen it to about a mile, McCary said.

"It loops back behind the football field," she said. "This would take it around the pond."

There is not yet a design for the project or a cost estimate. The board earlier this month just took the first steps in applying for the grant, she said.

The county applied for another grant last month — a Mississippi Department of Transportation 80/20 grant for a \$635,000 walkway near Sowashee Creek.

In describing the project, McCary wrote: "Lauderdale

County proposes to construct a multi-use trail along the north side of Sowashee Creek from 29th Avenue tying into an existing trail at St. John Street to 22nd Avenue and along the south side of the Sowashee Creek to Grand Avenue.

"This trail will be approximately 1.7 miles long and approximately eight feet wide. When connected to the St. John trail it would be trail along the creek."

Unlike a grant for a walking trail, this particular MDOT grant requires that the walkway be a means for getting from one location to another, McCary said.